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REMARKS/ARGUMENTS

By the present amendment, claims 59-63 have been cancelled and new claims 64-68 have been added. No new matter has been added to the application. The subject matter of claims 64-68 are disclosed in the application as filed, in particular, FIGS. 1-3 and paragraphs 29-32 of the application as filed. These claims all relate to the method claims and are ultimately dependent on claim 1.

It is noted that the Office Action does not mention claims 30-63 which were the subject of a Restriction Requirement in the previous Office Action. Applicants traversed the Restriction Requirement because the basis of the Restriction requirement was inappropriate in that the process as claimed could not be carried out with a substantially different apparatus than claimed. The Examiner has not made the Restriction Requirement final.

Claim Rejections – 35 U.S.C. § 103(a)

All of the method claims have been rejected under 35 U.S.C. § 103(a) as being unpatentable over the Pieroni et al. U.S. Patent Publication No. US2002/0112741 (Pieroni et al. '741 reference) alone (claims 1, 2, 28, and 29) and in view of the Dorney U.S. Patent No. 6,029,651 (Dorney '651 patent) (claims 3-9, 24, 26, and 27) and further in view of Pace et al. U.S. Patent Publication No. US2002/0040503 (Pace et al. '503 reference) (claims 10, 11, 17-23, and 25) and still further in view of Wool et al. U.S. Patent No. 3,357,923 (Wool et al. '923 patent). All of these rejections are respectfully traversed.

The rejections are based on the application of the Pieroni et al. '741 reference alone against claim 1 and in combination with the secondary references (Dorney '651, Pace et al. '503, and Wool et al. '923) to show the particular claimed process set forth in various dependent claims by which exothermic heat is generated. Applicant believes that Examiner is in error in the interpretation of Pace et al. '503 with respect to claim 1 and further in combining Pace et al. 503 with the secondary references.

Turning now to the rejections of claims 1, 2, 28, and 29 over the Pieroni et al. '741 patent, Applicants agree with the Examiner's statement as to the disclosure in the Pieroni et al.

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'503 reference. Applicants do not dispute the examiner's statement that recovering soiled cleaning solution from a surface which has been treated as disclosed by Pieroni et al. '741 would have been obvious to a person of ordinary skill in the art. However, claim 1 distinguishes over Pieroni et al. '741 in the step of "applying the heated cleaning solution to the surface to clean the surface" subsequent to the step of heating a cleaning solution with an exothermic chemical reaction. Pieroni et al. '741 applies a solution to the surface to be cleaned and then heats the cleaning solution on the surface with an exothermic reaction. This process is significantly different from Applicants' process of first heating the cleaning solution with an exothermic reaction and then applying the heated cleaning solution to the surface to be cleaned. For this reason, the rejection of claim 1 and all of the claims dependent on claim 1 based in whole or in part on the Pieroni et al. '741 reference is inappropriate because none of the references, either singularly or as combined by the Examiner, would reach the method of claim 1. For this reason, Applicants believe that all of the method claims, that is, claims 1-29 and new claims 64-68 patentably define over Pieroni et al. '741 alone and with the secondary references which the Examiner has combined with the Pieroni et al. '741 reference.

The alleged combination of Pieroni et al. '741 with Dorney '651 is traversed. There is no basis for making the alleged combination.

The Dorney '651 patent relates to a hot cup adapted to retain fluid contents heated for extended periods of time. The cup has a double layer between which is a fluid that is said to be capable of undergoing an exothermic reaction to heat the contents of the cup.

The alleged combination of Dorney '651 with Pieroni et al. '835 is inappropriate because there is no suggestion or reason as to how the Dorney teaching could be incorporated into the Pieroni et al. '835 reference. The only relevant disclosure in Pieroni et al. '835 is an incidental disclosure that a surface to be cleaned could be heated with an exothermic reaction with a substance that is present in the scrubbing head and a substance which is in a cleaning fluid applied to the surface. There is no suggestion as to how the Dorney teaching could be incorporated into the scrubbing head of Pieroni et al. '835 and indeed any attempts to combine the disclose is illogical.

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With respect to the rejection of claims 10, 11, 17-23, and 25 as being unpatentable over Pieroni et al. '741, Dorney '651, and Pace et al. '503, the alleged combination is respectfully traversed. The inappropriateness of the combination of Pieroni et al. '741 and Dorney '651 has been discussed above and is equally applicable here. The Pace et al. '503 patent discloses a process of treating a fabric comprising the steps of applying in any order to the fabric first and second compositions wherein on contact of the two compositions heat is generated. It is not clear what the significances of the Dorney '651 patent in the alleged combination. But the combination of Pace et al. '503 with Pieroni et al. '741 is not contemplated by either of the references. It is to be noted that Pace et al. '503 applies both chemicals to the surface to be cleaned separately to conduct the exothermic reaction *in situ* rather than prior to applying the combined chemicals to the surface. Any alleged combination of Pieroni et al. '741 in view of Dorney '651 and Pace et al. '503 would not reach Applicants' claimed invention, even if the alleged combination were made, however untenably.

Finally, the alleged combination of Wool et al. '923 with Pieroni et al. '741, Dorney '651, and Pace et al. '503 is traversed. The Examiner has used the Wool et al. '923 patent as teaching cleaning a surface by reacting a salt of stearate acid with a base such as sodium hydroxide to produce an exothermic reaction. The Wool et al. '923 patent discloses reacting a salt of stearate acid with sodium hydroxide to produce an exothermic reaction within drain pipes, sewers and the like after adding water to the combination. Then, the reaction takes place *in situ* and not prior to application of the cleaning composition to the surface to be cleaned.

It is unlikely that a person of ordinary skill in the art would combine the Wool et al. '923 teaching with Pieroni et al. '741, either alone or in view of Dorney '651 or Pace et al. '503, for the reason that the process carried out by Wool et al. '923 is a violent chemical reaction that would wholly unacceptable under the conditions of any of the Pieroni et al. '741, Dorney '651, or Pace et al. '503 references. The reaction disclosed in Wool et al. '923 would present a very dangerous condition for cleaning the hard surface of Pieroni et al. '741. There is no suggestion in any of the references for making this combination.

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Finally, the alleged combination, if made, would still not reach the limitations of claim 1 which requires the heating of a solution with an exothermic reaction prior to applying the heated cleaning solution to the surface to be cleaned.

In view of the foregoing, it is apparent that claims 1-29 as well as new claims 64-68 patentably define over the Pieroni et al. '741 reference either alone or in combination with Dorney '651, Pace et al. '503, and Wool et al. '923. It is believed that all of the claims in the application are in condition for allowance. Early notification of allowability is respectfully requested.

Respectfully submitted,

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